

### **REMARKS**

Applicants have now had an opportunity to review the September 4, 2008, Non-Final Office Action and request reconsideration of the application.

Claims 2, 4, 5, 8, 9, 10 and 12 are currently pending.

Claims 2, 4, 5, 8, and 9 are amended.

Claims 1, 3, 6-7 and 11 are cancelled without prejudice or disclaimer.

### **The Office Action**

Claim 12 was allowed.

Claims 1-4 and 6-10 were rejected under 35 U.S.C. §102(e) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being obvious over U.S. Publication No. 2003/0077515 to Chen, et al.

Claims 5 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2003/0077515 to Chen, et al.

Claims 2, 4, 5, 8, 9, and 10 have been amended to depend from allowable claim 12. It is therefore submitted that claims 2, 4, 5, 8, 9, 10 and 12 are now in condition for allowance.

### CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 2, 4, 5, 8, 9, 10 and 12) are now in condition for allowance.

Respectfully submitted,

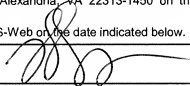
FAY SHARPE LLP



Jay F. Moldovanyi, Reg. No. 29,678  
Ann M. Skerry, Reg. No. 45,655  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

November 6, 2008

Date

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being <input type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. <input checked="" type="checkbox"/> transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.	
Express Mail Label No.:	Signature: 
Date: November 7, 2008	Name: Theresa L. Lucas

N:\TSUZ\200019\TLL0002722V001.doc